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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Eleftheriadis et al.

Serial No. : 09/367,433 Group Art Unit: 2614

Filed : January 13, 20001 Examiner: Jean Wicel Desir

Title: OBJECT-BASED AUDIO-VISUAL TERMINAL
AND BIT STREAM STRUCTURE

PRE-APPEAL BRIEF REQUEST FOR REVIEW

I hereby certify that this paper is being deposited with the United States
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Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450
on May 25, 2006

Date of Deposit

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PTO Registration No.

BOX AF
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants respectfully request review of the final rejection in the above
identified application, and present the following Remarks for consideration. No
amendments are being filed with this request. A Notice of Appeal is being filed with this
request.

REMARKS

Pending claims 1-10 have been rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Escobar et al. U.S. Patent No. 5,826,102 ("Escobar"). Applicants respectfully traverse these rejections.

As previously submitted (Reply dated 9/3/2004, page 5), applicants' invention "relates to the representation, transmission, processing and [scene-by-scene] display of [encoded object-based] video and audio-visual information." (page 1 lines 2-5). A data bitstream, which includes the encoded- object information, is received and processed at a video or audio-visual (AV) terminal. The received bitstream also includes "composition information and scene demarcation information" associated with the encoded objects. The composition information may include composition parameters such as displacement from the upper left corner of the presentation frame, rotation angles, zooming factors. (FIGS. 2a-2c, and page 6 lines 10-14). The composition information "tells . . . where to position an object in a scene." The AV terminal then "decodes the objects and positions them in the scene as specified by the composition information." (See e.g., page 1 lines 15- 20).

As previously submitted (Reply dated 11/21/05, page 6), applicants again emphasize that their invention relates not merely to the use of encoded object-based structures in audio-visual transmission and scene display, but also to the use of the parametric bitstream structure to convey scene description or composition information, coupled with timing information. (See e.g., page 1 lines 26- page 2 line 10, etc.).

In contrast to applicants' invention directed to organizing scene content, Escobar describes using a computer to make a sequential time display of multimedia assets/objects

on a time line. “Playback or execution of the [assets/] objects represented on the timeline occurs in a time sequence indicated by their position on the timeline.” (See e.g., col. 4 lines 5-20). (Applicants have previously noted that Escobar, on occasion, uses the term ‘objects’ interchangeably with the term ‘assets’).

Escobar, like conventional or prior art audio/visual architecture, is not concerned with organizing the contents of a scene and does not show or describe composing a scene (i.e. positioning objects in a scene). Escobar only describes the delivery and presentation of multimedia applications using timelines to integrate various multimedia and program assets. (See e.g., col. 7 lines 35-48: “video assets from a video recorder, a variety of sounds recorded by an audio engineer, the film output from movie cameras with or without related audio tracks, and perhaps different films from different camera locations of the same scene shot by different cameras”). Escobar’s multimedia assets/objects are not encoded data objects in a scene received in a data bitstream. Unlike applicants claimed invention, Escobar is not concerned with the processing of object-encoded audiovisual compression data (i.e., bitstream objects) of a scene for enhanced display at an audiovisual terminal.

Applicants note particularly that Escobar does not describe applicants’ claimed invention of “pushing” both object information and scene composition information from server to client, so that the client “passively” receives both information to compose scenes. Escobar describes using edit decision lists (EDL) and interactive decision lists (IDL), which capture the editing decisions made by a user of [an] authoring tool to control [timing] of playback or execution of the multimedia assets/objects. (See e.g., col. 4 lines 24- 36). Escobar describes storing IDL/EDL as an application as an ASCII file. (See e.g., col. 10

lines 52-55). As such, Escobar clearly does not disclose streaming of composition information (or even IDL/EDLs) for use in composing scenes at the client/receiver.

Applicants respectfully submit that the Office Action (page 2) mistakenly cites Escobar col.4 lines 33-39, col. 6 lines 37-40 and col. 12 lines 46-47, and Escobar col. 6 lines 41-45, col. 4 lines 16-18 and col. 21 lines 26-31 as disclosing the limitations of applicants' claim 1.

Applicants note, for example, Escobar at col. 4 lines 33-39 describes executing "the IDL" at either an end-user location or a server location to control "playback of running of the interactive multimedia application." Applicants submit that this description merely implies that the multimedia playback assets/objects may be retrieved from storage and assembled in a suitable time sequence at either user or server locations. The cited portions of Escobar neither mention nor support inference of "streaming . . .[scene] composition information of objects."

Further, for example, Escobar at col. 4 lines 16-18 and col. 12 lines 46-47 merely describe arranging or positioning the multimedia assets/objects in a time sequence for playback. The cited portions of Escobar neither mention nor support inference of "processing the [scene] composition information" to compose the objects in a scene.

Thus, contrary to the allegations in the Office Action, Escobar does not disclose the steps of "streaming in data bit stream, over time, a plurality of audiovisual/video objects and composition information for the objects, to a receiver," and then at the receiver, "processing the composition information received in the data bitstream to compose scenes

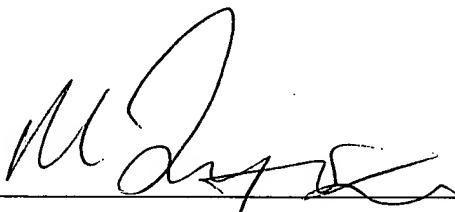
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from the received objects," which steps are required by applicants' method claim 1 and implemented by apparatus claims 8, 9 and 10.

Accordingly, the prior art rejections of claims claim 1 8, 9 and 10 and their dependent claims 2-7 should be withdrawn."

If there are any remaining issues to be resolved, applicants request that the Examiner kindly contact the undersigned attorney for a telephone interview for quick resolution of those issues.

Respectfully submitted,



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